

NINETY-SIXTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, May 4, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—26.

Agnew,	Jester,
Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Cranford,	McKinney,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.

ABSENT—3.

Goss,	Swayne.
Presler,	

EXCUSED—2.

Browning,	Whitaker.
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Prayer by the Chaplain, Dr. Briggs, as follows:

Our Father, we thank Thee for the new day with all its solemn inspiration, and its fresh hopes and possibilities. Grant us a still richer gift, the wisdom to know what to do with it. Forbid that its hours, falling unstained from Thy hands, should be marred and broken in ours. May we fill them with such wise words, pure thoughts, noble and ennobling deeds that in the years at hand they may return, not as spectres to daunt us, but as stars filling the whole sky with light and promise. And to Thy name be praise and glory now and always. Amen.

On motion of Senator Jester, the reading of yesterday's journal was suspended.

The Chair announced that the time for the Senate to go into Court of Impeachment had arrived.

IN COURT.

On motion of Senator Jester, the court took a recess of ten minutes.

IN SENATE.

HOUSE MESSAGE.

HOUSE OF REPRESENTATIVES,
AUSTIN, TEXAS, May 4, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage

by the House of the following bills, to-wit:

House bill No. 700, "An act making an appropriation for the per diem of the members, officers and employes of the Twenty-third Legislature."

Passed by a two-thirds vote; ayes 86, nays none.

House bill No. 701, "An act making an appropriation to defray the contingent expenses of the Twenty-third Legislature."

Passed by two-thirds vote; ayes 87, nays none.

House bill No. 613, "An act to amend section 46, chapter 25 of the acts of 1885," etc.

House bill No. 691, "An act to authorize the counties to have the archives of their offices in the Spanish language interpreted into English."

Also, that the House has adopted the report of the free conference on substitute Senate bills Nos. 29, 36, 82, 126 and 128, known as the bill to locate two additional courts of civil appeals."

Respectfully,

GEO. W. FINGER,
Chief Clerk House of Representatives.

IN SENATE.

House bill No. 700, "An act making an appropriation for the per diem of the members, officers and employes of the Twenty-third Legislature."

Read first time and referred to Committee on Finance.

House bill No. 701, "An act making an appropriation to defray the contingent expenses of the Twenty-third Legislature."

Read first time and referred to Committee on Finance.

House bill No. 613, a bill to be entitled "An act to amend section 1 of an act entitled an act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 49 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, an act to amend section 46 of an act to encourage stockraising and to protect stockraisers, approved April 22, 1879 and amended April 4, 1881, April 12, 1880, March 27, 1887, March 29, 1889 and March 23, 1891," exempting Burnet and Duval counties from the operation of the law.

Read first time and referred to Committee on Stock and Stockraising.

House bill No. 691, "A bill to be entitled an act authorizing counties to have their archives and records of instruments of writing, now in the Spanish language, relating to land, translated into the English language,

and making the said recorded translations archives of the county clerks' offices."

Read first time and referred to Committee on State Affairs.

By Senator Yoakum:

Resolved, That after the testimony is all given in the impeachment trial each side shall have two hours for argument and no more.

Senator Kearby moved to table the resolution.

Lost by the following vote:

YEAS—9.

Dickson,	McComb,
Hutchison,	Simpson,
Imboden,	Smith,
Kearby,	Tips.
Lawhon,	

NAYS—13.

Agnew,	Greer,
Atlee,	Jester,
Baldwin,	McKinney,
Boren,	Shelburne,
Bowser,	Woods,
Cranford,	Yoakum.
Douglass,	

ABSENT—7.

Crowley,	Steele,
Dean,	Presler,
Goss,	Swayne.
Lewis,	

EXCUSED—2.

Browning,	Whitaker.
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By Senator Kearby:

Amend the resolution by striking out "two" and inserting "six."

The Chair announced that the recess taken by the Court had expired.

Senator Yoakum moved to extend the recess five minutes.

Lost.

The Senate then went into court.

AFTER COURT—IN SENATE.

The Senate, as per hour fixed yesterday, went into executive session on the Governor's appointments.

IN SENATE.

In executive session the following confirmations were had, to-wit:

R. S. Neblett, S. A. Pace and A. S. Gill of Navarro county, to be Board of managers for State Orphan Asylum.

Senator Smith made the following free conference committee report:

COMMITTEE ROOM.

AUSTIN, TEXAS, May 3, 1893.

Hon. M. M. Crane, President of the Senate and Hon. J. H. Cochran, Speaker of the House of Representatives:

Your free conference committee, to whom was referred the differences existing between the two houses on

House bill No. 91, beg leave to submit the following report:

The Senate recedes from the following amendments:

Amend section 5 by adding thereto: "Provided, this shall not apply to the temporary closing for more than three days of one place of business to sell at another place in the same county."

Amend section 5, page 4, by striking out all of said section after the word "year" in line 19.

Amend section 6, page 5, by striking out all after the word "license," in line 13, down to and including the word "license," in lines 14 and 15.

And all amendments to section 9.

The House concurs in the following Senate amendments:

Add to section 6 the following: "Provided that each day any person, firm or association of persons in his or their employe shall engage in the sale of spirituous, vinous or malt liquors or medicated bitters in violation of this act shall constitute a separate offense."

"Sec. 13a. The provisions of this act shall not apply to wines produced from grapes grown in this State while the same is in the hands of the producers or manufacturers thereof."

Amend section 1, page 1, by striking out the words "four hundred" in lines 19 and 20, and inserting in lieu thereof the words "three hundred." Also, after the word "dollars" in line 20 inserting the following: "Provided, that in selling one gallon the same may be made up of different liquors in unbroken packages aggregating not less than one gallon."

Amend section 1, page 1, by striking out all after the word "dollars" in line 20, down to and including the word "dollars" in line 20.

Amend section 1, page 2, by striking out all of said section after the word "act" in line 4.

Amend section 7, page 5, by striking out all of said section after the word "liquors" in line 27.

Amend by inserting in line 6, section 2, before the word "city," where it first appears, the words "any incorporated," and strike out the word "a" in said line.

Amend section 5 by adding "all" after the word "year" in line 2, to and including the word "therein" in line 11 of the printed bill.

Amend section 9, line 5, after the word "dollars" insert the following: "Provided however, that any person, firm or corporation of persons dealing exclusively in malt liquors, shall be

required to give bond only in the sum of \$1000." Enrolled bill.

Respectfully submitted,

MILLS.
GREER.
STRANGE,
GRAVES.

Committee on part of House.

SMITH,
STEELE,
ATLEE.
BOWSER,
GREER.

Committee on part of Senate.

Senator Tips moved to adopt the report:

Adopted.

Senator Lawhon then made the following report:

COMMITTEE ROOM,
AUSTIN, TEXAS, May 4, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Stock and Stock-raising, to whom was referred

House bill No. 613, being "An act to amend section 1 of an act entitled an act to amend section 46, chapter 25, of the acts of 1885, entitled an act to amend chapter 49 of the acts of 1883, entitled an act to amend chapter 48 of the acts of 1887, and act to amend section 46 of an act to encourage stock-raising and to protect stockraiser, approved April 22, 1879, and amended April 4, 1881, April 12, 1880, March 27, 1887, March 29, 1889, March 23, 1891, April 15, 1891, and March 29, 1893,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

LAWHON, Chairman.

Senator Baldwin moved to suspend regular business and take up House bill No. 198.

Lost.

Senator Yoakum called up his resolution offered this morning, and on motion of Senator Smith, consideration of same was postponed till the testimony had all been given.

On motion of Senator McComb the Senate adjourned to 3 o'clock.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

No quorum, the following answering to their names.

PRESENT—19.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Smith,
Cranford,	Steele,
Crowley,	Tips,
Douglass,	Woods,
Imboden,	Yoakum.
Jester,	

ABSENT—10.

Dean,	Lewis,
Dickson,	Presler,
Goss,	Shelburne,
Greer,	Simpson,
Hutchison,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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Senator Imboden moved a call of the Senate, which was ordered, the following Senators answering to their names:

PRESENT—21.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	McComb,
Boren,	McKinney,
Bowser,	Simpson,
Cranford,	Smith,
Crowley,	Steele,
Dickson,	Tips,
Douglass,	Woods,
Imboden,	Yoakum.
Jester,	

ABSENT WITHOUT LEAVE—8.

Dean,	Lewis,
Goss,	Presler,
Greer,	Shelburne,
Hutchison,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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The Chair announced that a quorum was present and the Court in session.

AFTER COURT.

On motion of Senator Kearby the Senate adjourned to 9 a. m. to-morrow.

NINETY-SEVENTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, May 5, 1893.

Senate met pursuant to adjournment:

Lieutenant-Governor Crane in the Chair.

Roll called.

Quorum present, the following Senators answering to their names: